

AO 91 (Rev. 11/11) Criminal Complaint

Agent:

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## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Apollon Nimo

Case: 2:21-mj-30198

Judge: Unassigned,

Case No.

Filed: 04-28-2021 At 01:36 PM

IN RE:SEALED MATTER (CMP)(MLW)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 21, 2016- Present in the county of Macomb in the  
Easten District of Michigan, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C § 1343

Wire Fraud

18 U.S.C § 1349

Conspiracy to commit wire fraud

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
 and/or by reliable electronic means.

Date: April 28, 2021City and state: Detroit, MI


Complainant's signature

Joseph. T. Kunnumyalil - Special Agent

Printed name and title



Judge's signature

Anthony P. Patti - U.S MAGISTRATE JUDGE

Printed name and title

**ATTACHMENT A**

**AFFIDAVIT**

I, Joseph T. Kunnumyalil, being duly sworn, depose and state the following:

1. I am a Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement ("ICE") Homeland Security Investigations ("HSI") in Detroit, Michigan. I have been employed as a Special Agent since May 13, 2002, when I began my career as a Special Agent with the United States Customs Service, Office of Investigations, Detroit, Michigan. On March 1, 2003, the Special Agents of the U.S. Customs Service were merged with Special Agents from the Immigration and Naturalization Service to form ICE. During the course of my career, I have received training in financial investigations, commercial fraud investigations, money laundering and the tactics of money laundering organizations. I am a graduate of the Federal Law Enforcement Training Center's

Criminal Investigator Training Program and the Customs Basic Enforcement School.

2. I am submitting this affidavit because I believe that there is probable cause that Apollon NIMO violated Title 18, United States Code, section 1343 (wire fraud) and section 1349 (conspiracy to commit wire fraud).

3. The HSI Detroit Office and Clinton Township Police Department initiated an investigation on Parkway Chrysler Dodge Jeep Ram salesperson Apollon NIMO and his coconspirators based on information provided to the law enforcement agencies from Fiat Chrysler Automobiles (FCA) corporate investigators. The FCA representatives stated that NIMO and his coconspirators have unlawfully sold FCA employee numbers for various amounts to nonqualified buyers to facilitate the sale and/or lease of FCA vehicles at a discount, which resulted in the loss of at least 8.7 million dollars of revenue to FCA from the time period of 2014 to present.

4. From information received from FCA, NIMO is the number one salesman in the state of Michigan for Employee

Purchase Control Number (EPCN) sales, where the buyer claims he or she is the brother-in-law or sister-in-law of the FCA Employee. According to FCA, from January 2019 to November 2019, these sales contributed to only 21% of EPCN sales, yet, they account for over 50% of NIMO's EPCN overall sales. Additionally, from 2014 to 2019, about 87% of NIMO's sales were EPCN related. Furthermore, information provided by FCA indicates that NIMO has the highest number of such sales nationwide, and NIMO has been the highest salesperson in the nation for EPCN sales during the time period of May 2018 to August 2018 and January 2019 to March 2019.

5. According to FCA, the use of the employee number lowers the cost of the vehicle by 5%. Although NIMO is not an employee of FCA US LLC and as such does not receive wages from FCA, NIMO receives additional compensation from FCA for the sale of FCA vehicles, which compounds the loss of revenue to FCA. For instance, from 2010 to 2019, NIMO was provided an additional \$700,000.00 by FCA for the sale of its vehicles. These funds were electronically loaded onto NIMO's "Rewards Card."

The ITA Group located in West Des Moines, Iowa, and its servers also located in Iowa, electronically fund the salesperson's debit card (Rewards Card), which is managed by Bancorp, Inc. FCA's servers are located in Michigan, and FCA sends an electronic message to the ITA Group authorizing the ITA Group to fund the salesperson's Rewards Card. From information received from an ITA Group legal representative, Bancorp, Inc.'s prepaid operations are located in Sioux Falls, South Dakota. According to FCA legal counsel, when FCA pays ITA for payments made to the

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salesperson's Rewards Card, an FCA Treasury employee logs into the web-based banking platform (via Virtual Proxy Network), whose servers may have multiple different physical locations. FCA alleges that some if not most of the sales conducted by NIMO included fraudulent use of employee numbers, resulting in compensation paid by FCA to NIMO for the fraudulent sales.

6. During the time period mentioned above, FCA employees filed complaints with FCA alleging that their allotted employee numbers were applied to vehicle sales/leases without their consent. FCA's legal representatives provided the HSI

Detroit Office with the names and identifying information of the FCA employees who filed complaints mentioned above. The HSI Detroit Office conducted interviews of those FCA employees.

7. Information received from the known FCA employees interviewed by Clinton Township Police Officer Thomas Hill and I indicated that their employee numbers were wrongfully obtained and used without their authorization. Furthermore, many of the employees interviewed stated that their employee numbers were unlawfully used at Parkway Chrysler Dodge Jeep Ram.

8. In the summer of 2019, FCA personnel provided me information stating that FCA had prepared an analysis of 268 EPCN whose use were reported as unauthorized by FCA employees. Each of the EPCNs were used in connection with Apollon NIMO sales during the period February 21, 2016 to June 18, 2018. FCA representatives claim the loss to FCA by NIMO's unauthorized use of these EPCN was in excess of \$500,000.00. FCA representatives have informed me that they continue to receive information indicating that NIMO's fraudulent of EPCN continues to the present day.

9. In 2014, Salim Nimo leased at least 3 cars from Parkway Chrysler Dodge Jeep Ram. The salesperson associated with the lease was NIMO. Open source queries and Apollon NIMO's passport application state that Salim Nimo is Apollon NIMO's father. For all three transactions for his father, NIMO stated that his father is the brother/sister in law of 3 separate FCA employees. However, open source and law enforcement restricted database queries reveal that a relationship does not exist between the FCA employees and Salim Nimo. Similarities in addresses and family members did not exist between Salim Nimo and the FCA employees that were supposedly his brother and sister in law. Apollon NIMO is aware of his relatives and his father's relatives, yet, he applied the FCA employees' EPCN to his father's leases.

10. During the course of this investigation, FCA investigators learned that EPCNs were bought and sold through private Facebook Groups. A known FCA employee involved in the internal FCA investigation of the misuse of EPCNs discovered private Facebook Groups that that discussed the buying and

selling of FCA EPCNs. Many if not all of the members of these Facebook Groups reside in Michigan. According to <https://www.datacenterknowledge.com/data-center-faqs/facebook-data-center-faq>, Facebook Inc., data centers are located in Pineville, OR, Forest City, NC, Altoona, IA, and Lulea, Sweden.

11. The FCA representatives discovered the following Facebook Groups that were involved in the unlawful sale of FCA EPCNs:

- CHALDEANS MENS ONLY. (THE OFFICIAL PAGE OF CHALDEAN MEN WORLDWIDE)
- CHALDEAN MEN OF DETROIT (AND WORLDWIDE)

12. Furthermore, the FCA representative discovered multiple Facebook Group Chats that mention Apollon NIMO.

13. Below are images taken from CHALDEAN MEN OF DETROIT (AND WORLDWIDE) that mention NIMO:





PM looking for recommendations.  
July 11, 2018

Looking for recommendations on car leases, can be any type of car as well.  
Thank you guys.



GA:  
Come on Peter I've told you about Apollo 1000  
times plus everyone else in here uses him.

Like · Reply · 44w



TK  
Chaldean Men of Detroit (and Worldwide)  
December 27, 2018 at 10:40 PM

Ok guys, I'm looking for 2 trucks to lease and must have a 3rd row. I'm  
mostly looking for a traverse or an enclave. I'm trying to find the best deals  
out there. Let me know what you guys got. Trying to stay under \$300.00.  
Thanks in advance



7 Comments



PS  
Tommy Parkway on M 50 ask for Apollo tell him I'm your uncle he'll  
give you the best deal on Sig Horn trucks all my boys got one but you have to  
have an a plan it'll cost you about 245 to

14. On May 13, 2020, the HSI Detroit Office served  
Facebook Inc. with a search warrant obtained from the Eastern  
District of Michigan for records related to the Facebook Groups  
mentioned above. Records obtained from the search warrant will  
be discussed later in this affidavit.

15. On June 24, 2020, I interviewed a manager at Sterling Heights Dodge Chrysler Jeep Ram. The manager consented to the interview to provide the HSI Detroit Office with information related to the misuse of FCA EPCNs. The manager stated that Apollon NIMO at Parkway Chrysler Dodge Jeep Ram sold about 250 vehicles in January 2020. He informed the agents that this number is extremely high and unusual. He further stated that NIMO personally sells more vehicles than entire sales departments at most FCA dealerships.

16. The manager stated an EPCN "broker" known as C.D. approached one of his sales associates sometime in 2019 and offered to sell her FCA EPCNs. According to the sales associate, C.D. stated that he sells to NIMO and other top selling salespeople at FCA dealerships.

17. On July 10, 2020, the manager's attorney sent me an email message that stated a person known as S.Y. approached a salesperson at the manager's dealership and offered to sell her EPCNs. The attorney stated that the broker's telephone number was 586-615-XXXX

18. The above-mentioned telephone number was found within the records Facebook provided for the Chaldean Men of Detroit (and Worldwide) search warrant. The telephone number is associated with Chaldean Men of Detroit (and Worldwide) member: S.G.Y.

19. As discussed below, the telephone number 586-665-0652, serviced by AT&T, is associated with NIMO. Records provided by AT&T included the "toll" information for 586-665-0652 from February 1, 2019 to April 1, 2021. The toll information includes the date, time, duration, and telephone number dialed by the mobile device or that dialed the mobile device for incoming and outgoing calls. This telephone number 586-615-XXXX, associated with S.G.Y., was queried among the tolls for 586-665-0652. From March 25, 2019 to August 25, 2020, S.G.Y. at telephone number 586-615-XXXX and NIMO made repeated contact. On December 5, 2019, NIMO at 586-665-0652 sent S.G.Y. a text message.

20. During the course of this investigation, FCA investigators and legal counsel provided the HSI Detroit Office

information that indicates NIMO and his customer, I.S. were involved in allegedly fraudulent transactions that involved the use of FCA Employee Purchase Control Numbers. The information below is a summarization of the information provided by FCA:

a. On December 20, 2018, an Employee Purchase Control Number (EPCN) was generated for I.S. by retired FCA employee, C.W.

b. On December 21, 2018, I.S. leased a 2019 Jeep Grand Cherokee and received a \$2,033.99 discount on the lease. This transaction was done at Parkway Chrysler and NIMO was the salesperson associated with the lease sale. The EPCN was generated by the account of Wilson and was sent via email message to an email address associated with C.W. and an email address associated with I.S.

c. Additional research by FCA investigators revealed on or around January 24, 2019, an additional EPCN was generated by the account of C.W. and emailed to the email address associated with C.W. and the email address associated with I.S. On the same date, this EPCN was applied to the lease of a 2020

Dodge Ram 1500 by D.H. and I.S. at Parkway Chrysler. NIMO was the salesperson associated with the lease sale. The value of the EPCN discount applied to the lease/sale was \$2,597.46. The relationship stated for the justification for use of C.W.'s EPCN mentioned above was "son/daughter-in-law".

21. On or around March 2, 2020, I interviewed C.W. regarding his involvement in the vehicle sales made by I.S. and NIMO mentioned above. According to C.W., he does not know I.S. and I.S. is not his son-in-law. C.W. stated that he has no idea how I.S. managed to obtain an EPCN from him. C.W. stated that sometime in 2018 he received a call from an unknown person at an unknown dealership in Michigan, who advised him that a relative of C.W.'s was at the dealership and would like his employee number for a discount on a vehicle sale or lease. C.W. claimed he gave this unknown person his employee number. According to C.W. he did not log onto the FCA employee portal or provide the unknown caller his portal log-in information. C.W. further stated that he is not very familiar with computers and technology and he has not accessed his FCA Employee Self-

Service page.

22. On July 31, 2020, I interviewed I.S. with his attorneys present. The following is a summarization of statements made by I.S.:

a. I.S. stated that he purchased 3 vehicles from NIMO at Parkway Chrysler in December 2018. Two of the vehicles were for I.S. and his wife, and the other vehicle was for his cousin D.H.

b. I.S. stated that during their sales negotiations, NIMO stated that they can get a 5% discount if they have an FCA relative or if they know an FCA employee. I.S. stated that NIMO advised him that he can purchase a discount from NIMO for \$600.00.

c. I.S. stated that he left the dealership that day and conversed with his father, who advised him to speak to C.W., a retired FCA employee. According to I.S., his father is an owner and operator of a store located in Toledo, Ohio and advised him that C.W. will give I.S. an FCA EPCN.

d. I.S. stated he contacted C.W. and requested an EPCN. According to I.S., Wilson provided him with his employee number,

date of birth, and end date of employment with FCA. I.S. stated he used C.W.'s information to log on to the FCA employee portal to generate an EPCN for him to use. I.S. stated that he had to log on to the FCA portal as C.W. because C.W. advised him that he does not know how to create an EPCN for family and friends. The EPCN was sent from eaprogs@chrysler.com to C.W.'s FCA email address and SHIKWANA's email address. I.S. provided the agent with a copy of the email correspondence he received from his email address sent by eaprogs@chrysler.com. I.S. also provided the agent with C.W.'s FCA information that was stored on I.S.'s mobile phone.

e. I.S. stated that on or around December 20, 2018, he informed NIMO that he had obtained an FCA EPCN. According to I.S., NIMO guided him on how to navigate the FCA portal to assign himself as a son-in-law of C.W., which would allow him to use an FCA EPCN. I.S. was unable to recall if this conversation with NIMO was in person or if it was conducted telephonically.

f. I.S. stated that on or around January 24, 2019, he generated an EPCN for D.H. to use to trade in the vehicle he

purchased on December 21, 2018 for a 2019 Dodge Ram 1500. I.S. stated that he inquired with NIMO if there can be legal issues for the misuse of FCA EPCN. According to I.S., NIMO stated that FCA does not review the use of "in-law" relationship with EPCN purchases.

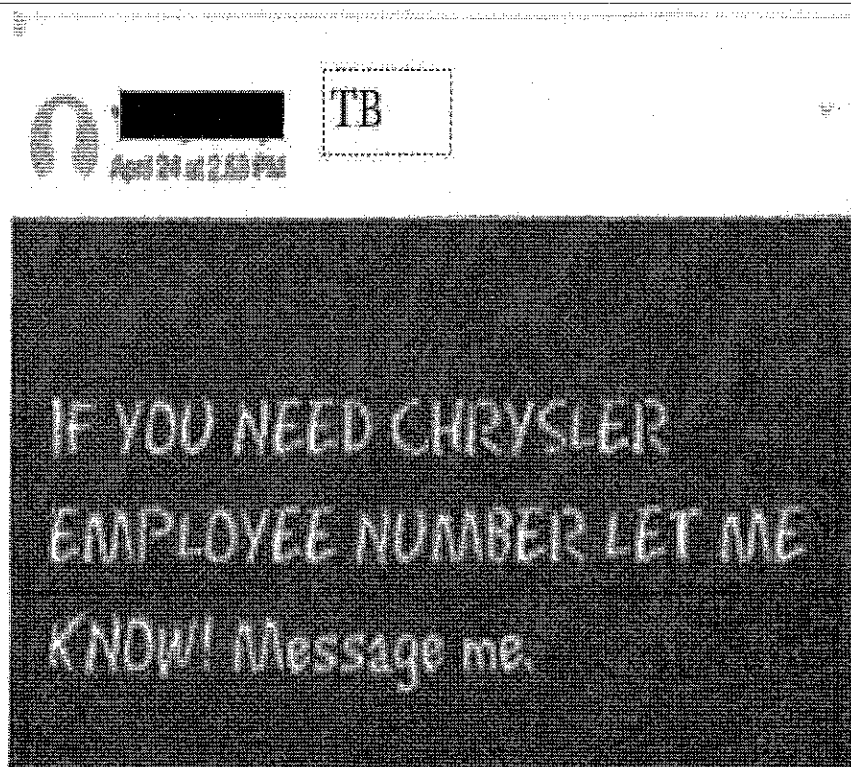
23. I.S. mobile phone number is XXX-XXX-0000. A review of phone tolls from that mobile phone number revealed that on December 20, 2018, NIMO's cellular telephone 586-665-0652 contacted I.S.'s mobile phone. On the same date, I.S. contacted NIMO's mobile phone at 586-665-0652. Furthermore, on February 28, 2019, I.S.'s mobile phone number made contact with NIMO's mobile phone number on two occasions.

CONTACTS BETWEEN NIMO AND USERS OF THE  
FACEBROOK GROUPS THAT APPEAR TO BE TRAFFICKING  
IN FCA EPCN

24. During the course of this investigation, the HSI Detroit Office served Facebook Inc with a subpoena for subscriber records associated with members of Facebook Group: CHALDEAN MEN OF DETROIT (AND WORLDWIDE) and CHALDEANS MENS



ONLY. (THE OFFICIAL PAGE OF CHALDEAN MEN  
WORLDWIDE) that appeared engaged in the selling of FCA  
EPCN. A query of the subpoenaed subscriber telephone numbers  
against the tolls for NIMO's mobile device 586-665-0652 revealed  
that at least 9 members who discussed interest in buying and  
selling of FCA EPCN made contact with NIMO and/or NIMO  
contacted them on NIMO's mobile device 586-665-0652. For  
instance, Facebook member TB made the following post on the  
Facebook Groups mentioned above:



Facebook, Inc. records reveal that TB is associated with mobile

device: XXX-XXX-2947. From February 26, 2019 to March 31, 2021, this telephone number was in contact with NIMO's mobile device on a number of occasions. On February 19, 2020, NIMO sent TB two text messages from his cell phone: 586-665-0652.

25. Another example is contact between Facebook member BK at XXX-XXX-9537 and NIMO at 586-665-0652. BK posted the following messages on the CHALDEAN MEN OF DETROIT (AND WORLDWIDE) Facebook Group:

To Chaldean Men of Detroit (and Worldwide) (377252722793978)

From [REDACTED] ( [REDACTED] ) TR

Id 821217745064138

Time 2020-02-27 14:13:45 UTC

Text I'm Looking for a Chrysler employee discount.

Comments

User [REDACTED] BK

Text I can get you one message me

Time 2020-02-27 14:15:27 UTC

User [REDACTED] EG

Text I got it

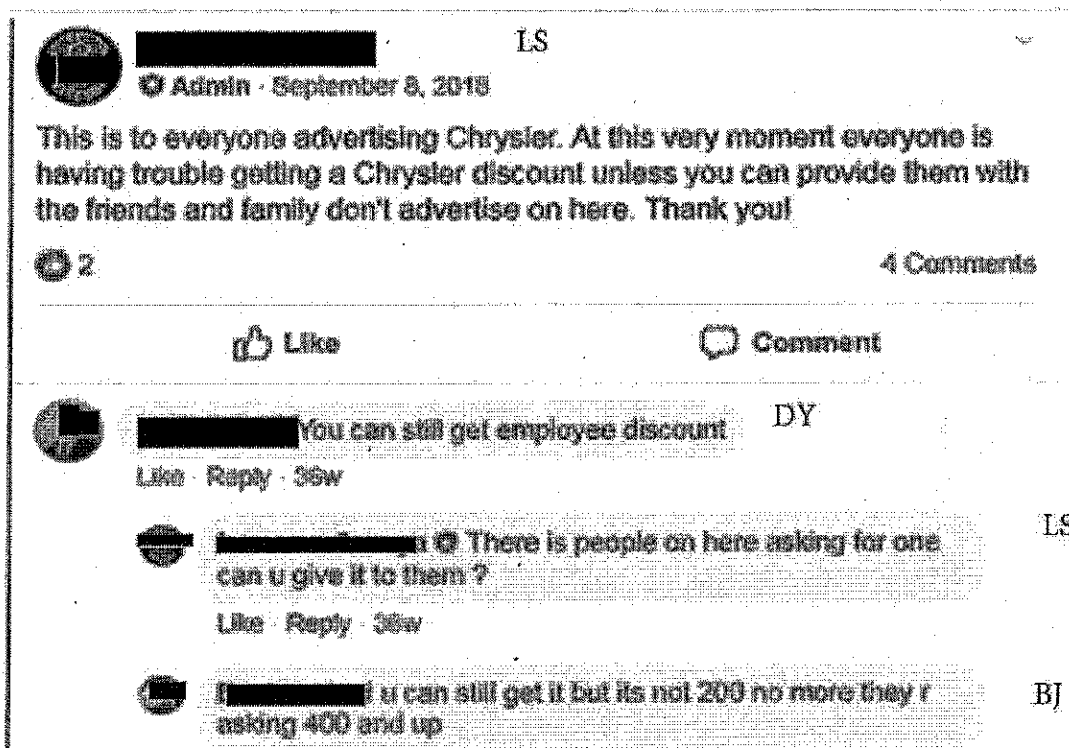
Time 2020-02-27 14:42:29 UTC

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Time 2020-03-17 18:39:07 UTC  
Text Hi guys I'm looking for employee discount Chrysler @soon as possible let me know please thank you!!!  
Comments User [REDACTED] BK  
Text I can get you one  
Time 2020-03-17 20:09:55 UTC  
User [REDACTED] (9 [REDACTED]) SA  
Text @[ [REDACTED] 0483 [REDACTED] ] how much ?  
Time 2020-03-17 20:10:39 UTC  
User [REDACTED] ([REDACTED]) BK  
Text @[ [REDACTED] 0483 [REDACTED] ] 500  
Time 2020-03-17 20:11:42 UTC

26. A review of NIMO's tolls for telephone number: 586-665-0652 revealed at least 10 incoming calls from BK's mobile device to NIMO's mobile device on June 12-June 14, 2019.

27. This is another example of a chat exchange between the Facebook Group Members:



28. From records received from Facebook Inc., Facebook member DY is associated with XXX-XXX-0613. From February 8, 2019 to March 10,, 2021 there were at least 20 contacts between DY's telephone number and NIMO's mobile telephone.

29. The following are additional posts made by DY:

To Chaldean Men of Detroit (and Worldwide) (377252722793978)  
From [REDACTED] DA  
Id 767199227132657  
Time 2019-12-20 16:10:23 UTC  
Text Need a **Chrysler** discount ASAP. Who got me  
Comments User [REDACTED] DY  
Text @[REDACTED]:2048:[REDACTED]  
Time 2019-12-20 16:11:06 UTC  
User [REDACTED] (1 [REDACTED]) FE  
Text 700, let me know.  
Time 2019-12-20 16:11:11 UTC  
User [REDACTED] (1 [REDACTED]) DY  
Text 600, 1 left  
Time 2019-12-20 16:11:42 UTC

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30. The following are examples of posts made by Facebook member BJ regarding FCA EPCN:

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From [REDACTED] DJ  
Id 824231838096062  
Time 2020-03-02 18:51:06 UTC  
Text Hello, looking for a Chrysler [REDACTED] ASAP please

Comments User [REDACTED] JM  
Text Dm me I got u  
Time 2020-03-02 18:57:16 UTC

User [REDACTED] FE  
Text \$550 let me know  
Time 2020-03-02 19:00:46 UTC

User [REDACTED] BJ  
Text \$525 let me know  
Time 2020-03-02 19:04:42 UTC

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31. BJat XXX-XXX-2065 and NIMO at 586-665-0652 were in contact with each other between March 13, 2019 to September 9, 2020, at least 25 times.

32. Facebook member JMis associated with telephone numberXXX-XXX-9681. From October 7, 2019 to March 12, 2021,JM and NIMO were in contact with each other at least six times.

33. Facebook member NMwas identified as trying to obtain

an EPCN. The following are posts made by NM posted on the CHALDEAN MEN OF DETROIT (AND WORLDWIDE) Facebook group:

To Chaldean Men of Detroit (and Worldwide) (377252722793978)  
 From [REDACTED] NM  
 Id 666404270545487  
 Time 2019-08-09 01:22:29 UTC  
 Text Looking for Chrysler EP. Anyone have the hook up?  
 Comments User [REDACTED] ZF  
 Text Same here  
 Time 2019-08-09 01:29:35 UTC

To Chaldean Men of Detroit (and Worldwide) (377252722793978)  
 From [REDACTED] NM  
 Id 666325447220036  
 Time 2019-08-08 21:45:20 UTC  
 Text Gentleman, looking for Chrysler EP. Please shoot me a PM if you can help. Thanks!  
 Comments User [REDACTED] DS  
 Text [REDACTED] 771-7600

NIMO at 586-665-0652 and NM at XXX-XXX-6077 contacted each other twice on August 15, 2019. NIMO contacted NM once on February 11, 2021 and March 12, 2021. NM is a repeat customer of NIMO. NM leased vehicles from NIMO in November 2015 and January 2018. Furthermore, OM a relative or wife of NM, who resides at NM's residence leased a vehicle from NIMO in March 2018.

34. A review of Facebook Inc records related to the



Facebook Inc, groups mentioned above revealed posts by Facebook member VA such as the following:

To Chaldean Men of Detroit (and Worldwide) (377252722793978)  
From [REDACTED] AB  
Id 015055661276113  
Time 2019-08-29 14:40:52 UTC  
Text Can anyone help with any Chrysler discounts?  
Comments User [REDACTED] RK  
Text I paid \$650. For one 2 weeks ago.  
Time 2019-08-29 17:07:13 UTC  
User [REDACTED] VA  
Text I got them on deck 700  
Time 2019-08-29 17:59:48 UTC

On February 9, 2019 to August 30, 2019, NIMO at 586-665-0652 contacted VA at XXX-XXX-5222 at least 25 times. Additionally, NIMO sent VA a text message on July 8, 2019.

35. The following are Facebook posts from the CHALDEANS MENS ONLY. (THE OFFICIAL PAGE OF CHALDEAN MEN WORLDWIDE) a.k.a. CHALDEAN MEN's ONLY GROUP-OFFICIAL PAGE Facebook Group:



To Chaldean Men's Only Group - Official Page ([REDACTED])  
From [REDACTED] DB  
Id 438440280352476  
Time 2019-09-18 11:56:54 UTC  
Text Chrysler discounts available hit me up

To Chaldean Men's Only Group - Official Page ([REDACTED])  
From [REDACTED] KS  
Id 401183917411446  
Time 2019-07-18 01:27:10 UTC  
Text Who got them Chrysler EP plans ?  
Comments User [REDACTED] RS  
Text [REDACTED] I'm gonna call u tomorrow  
Time 2019-07-18 01:28:24 UTC

To Chaldean Men's Only Group - Official Page (147986296064544)  
From [REDACTED] RS  
Id 360150968181408  
Time 2019-05-09 15:36:11 UTC  
Text IF you're SERIOUS about leasing or buy a vehicle from me, PLEASE call and schedule an appointment. MY BEST price on a lease is when you're sitting with me. The "DEAL" is much better when you're HERE IN FRONT OF ME. with all due respect. Thank you for all your love and support. شكرا جزيلا

To Chaldean Men's Only Group - Official Page (147986296064544)  
rom [REDACTED] DEM  
Id 545462116316958  
Time 2020-02-04 22:17:14 UTC  
Text Guys I Need a Chrysler Discount. Who got the hookup?  
ants User [REDACTED] SK  
Text @[100001280471904:2048: [REDACTED]  
Time 2020-02-04 22:24:13 UTC  
  
User [REDACTED] JH  
Text DM me  
Time 2020-02-04 22:27:56 UTC  
  
User [REDACTED] SZ  
Text 600  
Time 2020-02-05 00:10:25 UTC

36. Phone tolls from NIMO's mobile device indicate that NIMO contacted Facebook member DB (XXX-XXX-3375) twice on May 20, 2020, twice on May 29, 2020, and received a phone call from DB on the 29th.

37. NIMO's mobile phone was in contact with Facebook member SZ (XXX-XXX-9641) on March 8, 2019 and March 9, 2019.

38. NIMO's mobile phone was in contact with Facebook member RS (XXX-XXX-9277) on at least six occasions between March 11, 2019 to January 14, 2021.

39. Based on the facts of the investigation detailed above in this affidavit, coupled with my training and experience as an HSI Special Agent, I assert there is probable cause that NIMO violated Title 18, United States Code, § 1343 (wire fraud) and § 1349 (conspiracy to commit wire fraud).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. T. Kunnumyalil', written over a horizontal line.

Joseph T. Kunnumyalil, Special Agent  
U.S. Department of Homeland Security  
Homeland Security Investigations

Sworn to before me and signed in my presence and/or by  
reliable electronic means

A handwritten signature in blue ink, appearing to read 'Anthony P. Patti', written over a horizontal line.

Anthony P. Patti April 28, 2021  
UNITED STATES MAGISTRATE JUDGE